

**TERM FOR A LEASE OF LAND OWNED BY CERTAIN
NAVIGATION DISTRICTS****CHAPTER 539**

H.B. No. 1716

AN ACT**relating to the term for a lease of land owned by certain navigation districts.***Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 60.039(a), Water Code, is amended to read as follows:

(a) The commission may lease the surface of land for not more than 50 [30] years by the entry of an order on the minutes of the commission and the execution of a lease in the manner provided by the original order. The lease may not be extended beyond the 50-year [30-year] period by renewal, extension, or otherwise.

SECTION 2. Section 60.040, Water Code, is amended to read as follows:

Sec. 60.040. PUBLICATION OF NOTICE FOR SALES AND LEASES IN EXCESS OF 50 [30] YEARS. Before making a sale or lease of land for more than 50 [30] years, the commission shall publish a notice in the manner provided in Section 60.035 [of this subchapter].

SECTION 3. Section 60.041, Water Code, is amended to read as follows:

Sec. 60.041. SECURITY FOR BIDS ON LAND TO BE SOLD OR LEASED FOR MORE THAN 50 [30] YEARS. Each bid submitted on land to be sold or leased for more than 50 [30] years shall be accompanied by a certified check, cashier's check, or bidder's bond with a responsible corporate surety authorized to do business in Texas. The check or bond shall be in an amount equal to the bid for the land or for the first rental payment under the lease and shall guarantee that the bidder will perform the terms of the [his] bid if it is accepted by the commission.

SECTION 4. The heading to Section 60.042, Water Code, is amended to read as follows:

Sec. 60.042. AWARD AND EXECUTION OF DEED OR LEASE IN EXCESS OF 50 [30] YEARS.

SECTION 5. The changes in law made by this Act apply only to a lease entered into on or after the effective date of this Act. A lease entered into before the effective date of this Act is governed by the law in effect on the date the lease was entered into, and the former law is continued in effect for that purpose.

SECTION 6. This Act takes effect September 1, 2015.

Passed by the House on April 16, 2015: Yeas 146, Nays 0, 2 present, not voting;
passed by the Senate on May 22, 2015: Yeas 31, Nays 0.

Approved June 16, 2015.

Effective September 1, 2015.

**USE OF MUNICIPAL HOTEL OCCUPANCY TAXES BY
CERTAIN MUNICIPALITIES FOR ECOLOGICAL AND SPACE
EXPLORATION-RELATED TOURISM****CHAPTER 540**

H.B. No. 1717

AN ACT**relating to the use of municipal hotel occupancy taxes by certain municipalities for ecological and space exploration-related tourism.**

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter B, Chapter 351, Tax Code, is amended by adding Section 351.1054 to read as follows:

Sec. 351.1054. ALLOCATION OF REVENUE FOR ECOLOGICAL TOURISM AND SPACECRAFT AND SPACEPORT ACTIVITIES BY CERTAIN MUNICIPALITIES.

(a) In this section, "spacecraft" and "spaceport" have the meanings assigned by Section 507.001, Local Government Code.

(b) Notwithstanding any other provision of this chapter, an eligible barrier island coastal municipality may use revenue from the municipal hotel occupancy tax for:

(1) promotional and event expenses for an ecological tourism event, including an event for which the primary attraction is traveling to an area of natural or ecological interest for the purpose of observing and learning about wildlife and the area's natural environment, if:

(A) a majority of the event's participants are tourists; and

(B) the event substantially increases economic activity at hotels and motels within or in the vicinity of the municipality; and

(2) expenses directly related to:

(A) the acquisition of sites to observe spacecraft and spaceport activities; and

(B) the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of facilities utilized by hotel guests to observe and learn about spacecraft and spaceport operations.

(c) A municipality may use for the purposes provided by Subsections (b)(1) and (2) not more than the greater of:

(1) 15 percent of the hotel occupancy tax revenue collected by the municipality; or

(2) the amount of tax received by the municipality at the rate of one percent of the cost of a room.

SECTION 2. Section 351.1055(d), Tax Code, is amended to read as follows:

(d) Notwithstanding any other provision of this chapter and except as provided by Subsection (e), an eligible barrier island coastal municipality shall use at least the amount of revenue derived from the application of the tax at a rate of seven percent of the cost of a room for the purposes authorized under Sections 351.101(a)(1) and (3) and Sections 351.1054(b)(1) and (2). If an eligible barrier island coastal municipality uses hotel occupancy tax revenue for a purpose described by Section 351.1054(b)(2), the municipality may not reduce the amount of revenue that is used for purposes described by Section 351.101(a)(3) to an amount that is less than the average amount of revenue used by the municipality for purposes described by Section 351.101(a)(3) during the 36-month period that precedes the municipality's first use of revenue for a purpose described by Section 351.1054(b)(2).

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 23, 2015: Yeas 137, Nays 2, 2 present, not voting;
passed by the Senate on May 23, 2015: Yeas 30, Nays 1.

Approved June 16, 2015.

Effective June 16, 2015.